

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Rose et al.

Attorney Docket No.: ROSEA001

Application No.: 09/302,034

Examiner: Akers, G.

Filed: April 29, 1999

Group: 2164

Title: APPARATUS AND METHOD FOR AN
INTERNET BASED COMPUTER
RESERVATION BOOKING SYSTEM

CERTIFICATE OF MAILING

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Agnes Spence

SUPPLEMENTAL APPEAL BRIEF TRANSMITTAL
(37 CFR 192(c))

Commissioner for Patents
Box: Board of Patent Appeals & Interferences
Washington, DC 20231

Sir:

The Applicant hereby requests reinstatement of the Appeal. A third supplemental appeal brief is enclosed in triplicate. This supplemental brief is filed in response to the Examiner's Office Action mailed March 11, 2003 and in furtherance of the Appeal Brief filed on August 29, 2002.

This application is on behalf of

☒ Small Entity☐ Large Entity

If an additional extension of time is required, please consider this a petition therefor.

☐ Applicant(s) believe that no (additional) Extension of Time of further fees are required; however, if it is determined that such an extension is required, Applicant(s) hereby petition that such an extension be granted and authorize the Commissioner to charge the required fees for an Extension of Time under 37 CFR 1.136 or fees under 37 CFR 1.17(f) to Deposit Account No. 500388.

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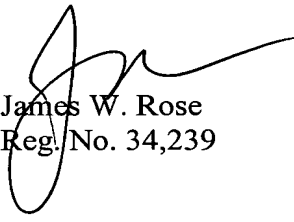
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Respectfully submitted,
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PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

EX PARTE ROSE et al.

Application for Patent

Filed April 29, 1999

Serial No. 09/302,034

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AND INTERFERENCES

FOR:

**APPARATUS AND METHOD FOR AN INTERNET BASED COMPUTER
RESERVATION BOOKING SYSTEM**

THIRD SUPPLEMENTAL APPEAL BRIEF

BEYER WEAVER & THOMAS LLP
Attorneys for Applicants

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I. REAL PARTY IN INTEREST

The real parties in interest are the Applicants.

II. RELATED APPEALS AND INTERFERENCES

The undersigned filed an Appeal for the subject application on December 3, 2001. In response, the Examiner issued a new Office Action on January 8, 2002. The Applicants filed a Supplemental Appeal Brief on April 3, 2002. The Examiner issued another Office Action on April 30, 2002. The Applicants are filed a second Supplemental Appeal brief in response to the April 30, 2002 Office Action. The Examiner issued yet another Office Action on December 13, 2002. The Applicants are now filing a third Supplemental Appeal brief in response to the outstanding Office Action.

III. STATUS OF THE CLAIMS

The application was originally filed with 36 claims. On December 7, 1999, a Preliminary Amendment was filed canceling claims 1-36 and adding new claims 37-119. In reply to the first Office Action dated December 20, 2000, the Applicant cancelled claim 81, amended claims 37, 41, 48, 51, 59, 62, 74, 77, 80, 82, 85, 86, 87, 94, 95, 96, 97 and 99-119, and added new claims 120-125 in an Amendment "A" dated March 28, 2001. In response to a final rejection dated May 11, 2001, the Applicants filed an RCE application and a Preliminary Amendment on July 31, 2001. In the Preliminary Amendment, claims 39, 41, 44, 51, 58, 64, 67, 69, 70, 71, 80 and 107 were amended and a second inadvertently numbered claim 48 was renumbered 126. In a non-final Office Action dated August 24, the Examiner rejected claims 37-80 and 82-126. In response, the Applicants filed an Appeal Brief appealing the rejection of claims 37-80 and 82-126 on December 3, 2001. Thereafter, the Examiner issued a Supplemental non-final Office Action after the Appeal on January 8, 2002 rejecting claims 37-80 and 82-126. The Applicants filed a Supplemental Appeal Brief on April 3, 2002. The Examiner issued another non-final Office Action after Appeal on April 30, 2002. The Applicants filed a second Supplemental Appeal. The Examiner issued yet another non-final Office Action after Appeal on

December 13, 2002. The Applicants now file the subject third Supplemental Appeal with 37-80 and 82-126 still at issue.

IV. STATUS OF THE AMENDMENTS

Subsequent to final rejection, the Applicants filed the following amendments:

(1) an Amendment B dated June 14, 2001 attempting to amend claims 41, 47, 58, 64, 71, 80, 99, 107, and 108 and renumbered a second inadvertently numbered claim 48 to 126. In the Examiner's Advisory Action dated July 3, 2001, this Amendment B was not entered; and

(2) the aforementioned Preliminary Amendment incorporating the above-defined amendments filed July 31, 2001.

V. SUMMARY OF THE INVENTION

The present invention pertains to an on-line reservation system for restaurants. The system includes a web site which aggregates a plurality of restaurants. The web site allows an Internet user to search and find a selected restaurant, select a date and review the available time slots for open tables at the restaurant, book a reservation for one of the available time slots, and receive a real-time confirmation, all over the Internet. Each restaurant in the system also has access to their own database which is maintained according to one embodiment at the same server location that hosts the web site and which contains the restaurants time slot inventory for tables. Each restaurant is able to access their database using a local computer residing at the restaurant. Using the local computer, the restaurant can enter reservation booking information into the system for patrons making reservations by phone, facsimile, etc. The system therefore provides a complete table inventory management system for each restaurant. The system also aggregates the databases of all the participating restaurants into one large database. In an alternative embodiment, the reservation database for each restaurant is maintained at a local computer located at the restaurant and a redundant aggregate database for all the restaurants is maintained at the server location that hosts the web site.

VI. ISSUES

(a) Whether claims 37-80 and 85-100, and 104-126 are unpatentable over Fukuma in view of Henneuse, Cummings, Booker, King, Hilton, Business Wire, Extensivity and/or Datalex and/or Cotton.

(b) Whether claims 82-84 and 101 and 103 are unpatentable over Fukuma in view of Steadham and further in view of Henneuse, Cummings, Booker, King, Hilton, Business Wire, Extensivity and/or Datalex and/or Cotton.

VII. GROUPING OF THE CLAIMS

The rejected claims do not stand or fall together and each of the claims will be argued independently.

VIII. ARGUMENTS

- A. Whether claims 37-81 and 85-126 are unpatentable over Fukuma (US Patent No. 5,909,668) in view of Henneuse (US Patent No. 5,963,913), Cummings US Patent No. 6,345,260), Booker (Comptuterworld, July 3, 1995), Cotton (WO 00/63808), King (Computerworld, January 2, 1996), Hilton, Business Wire, Extensity, and Datalex.**

Prior to discussing the rejection, the Applicants would like to review the teachings of Fukuma, Henneuse, Cummings, Booker, Cotton, King, Hilton, Business Wire, Extensity, and Datalex.

1. Fukuma

Fukuma relates to a reservation management system for the efficient space utilization of a banquet hall capable of being partitioned into a plurality of areas. The system is an application program designed to run on a stand-alone computer such as a personal computer. The Applicants believe Figures 1, 3, 4 and 5 of Fukuma are most relevant to the present invention and therefore the teachings of Fukuma with respect to these figures will be described in detail below.

Figure 1 of Fukuma illustrates the main software structures of Fukuma's banquet hall reservation system. The main structures include a management table 1, reservation management tables 2, a management table generation unit 7, a management information input unit 6, a conflicting area detection unit 4, a vacancy determination unit 3, and a reservation unit 5.

Figure 3 of Fukuma illustrates all the possible partitions of an exemplary banquet hall named "Fuji" that can be sub-divided into three sub-banquet areas ("Fuji 1", "Fuji 2", and "Fuji 3"). In this example, all the possible combinations of banquet areas are assigned an area code as provided in the table below.

Area Code	Area
10	The entire Fuji banquet hall comprising sub areas Fuji 1, Fuji 2, and Fuji 3.
11	Sub-area Fuji 1
12	Sub-area Fuji 2
13	Sub-area Fuji3
1.4	Fuji North which includes sub-areas 1 and 2
1.5	Fuji South which includes sub-area 2 and 3

Figure 4 of Fukuma provides an actual management table 1 for the Fuji banquet hall. In this management table, the area codes (10 through 15), the area names (Fuji, Fuji 1, Fuji 2, Fuji 3, Fuji North and Fuji South), and the conflicting area codes for each area are provided respectively. For example, when the “Fuji” area code (10) is reserved, all the area codes (10-15) are in conflict and therefore can not be reserved. When “Fuji 2” area code (12) is reserved, codes (12, 10, 14 and 15) are in conflict and can not be reserved. However, non-conflicting areas Fuji 1 (11) and Fuji 3 (13) can be reserved. For a more detailed discussion of the management table 1, see Column 3, lines 57-68 and Column 4, lines 1-8.

Figure 5 of Fukuma shows a reservation management table 2 for a given day (February 1, 1995 for the example provided by Fukuma). The reservation management table 2 in this example lists all the area codes defined above (10 through 15) for the Fuji banquet area, reservation information on an hourly basis (13:00, 14:00 ... 17:00), and the status of each area code (10 through 15) for each hour. Banquet areas that are reserved for a given hour are designated by either an “M” for meeting or a “D” for dinner. For example, banquet area 11 (Fuji 1) is reserved for a meeting between 14:00 and 16:00 hours. Area codes for a given hour are also assigned a conflict number. For example, since none of the area codes are reserved at hour 13:00, they are all assigned a conflict number of “0”, which means any of these area codes are available for booking. However at hour 14:00, area code 10 (Fuji) is assigned a conflict number of “3” since it is in conflict with Fuji 1 (11), Fuji 2 (12) and Fuji 3 (13), all of which are booked at this time. Similarly, area code 14 (Fuji North) is assigned a conflict number of 2 at hour 14:00 since Fuji 1 (11) and Fuji 2 (12) are both reserved at this time. For a more detailed discussion of this Figure, see column 7, lines 15-57.

Prior to operation, the banquet hall provider is first required to determined the partitioning of the banquet hall space. The partitioning information and conflict information are then entered into the management table 1 as described above with respect to Figure 4. During operation when an actual reservation is to be made, the provider is first required to enter reservation information (a reservation number, party name, date,

banquet area, purpose of use and date) through a series of prompts appearing on the computer display (12) of the computer of Figure 2. Once the information is entered, the vacancy determination unit (3) checks the reservation management table (2) to determine if the requested area code is available for the desired date and time and the conflicting area detection unit (4) determines if there is any conflict. If the requested area is available and there are no conflicts, then the reservation unit (5) enters the reservation into the reservation management table (2) and then updates the table with the appropriate conflict information.

It must be noted that in no way does Fukuma teach or suggest that the reservation system be connected to a network of any kind or that anybody but the banquet hall provider have access to the system. ***Thus in no way does Fukuma contemplate that third parties such a patron would have access to the system over a network.***

2. Henneuse

Henneuse describes an improved software system for the scheduling of events. With the Henneuse software, an event organizer has access to the calendars and can view the availability of other users. With this access, the event planner can schedule an event, such as a business meeting, based on the availability of the participants. The problem addressed by Henneuse is that often participants may not keep their calendar up-to-date. As a result, events may be scheduled during time periods in which one or more participants actually have a conflict.

The Henneuse system operates over a network and includes a server application running on a server and a number of clients that can access the server over the network. When an event planner would like to organize an event, the event planner accesses through a client an event definition page on the server. The event definition page provides one or more options for scheduling an event and allows the event planner to define a plurality of requested participants. When the event definition page is completed, the server application creates an event reply page and an event confirmation page. The server application then sends an electronic mail message to each requested participant that includes information about the one or more options and a link to the event reply page. The server application also creates and sends an email message to the event planner to provide a link to the event confirmation page. The server application receives reply information submitted by the requested participants access the event reply page. In response, the server application processes the reply information together with the original event information to generate one or more potential schedules. The availability of the requested participants for the one or more options are displayed with each potential option. Based on this information, the

event planner selects one of the options. The server then generates a message to the participants confirming the selected option and a schedule for the event. *Thus in no way does Henneuse teach or suggest a database that can be accessed by both event planners and participants of the event.*

3. Cummings

Cummings is directed to a system and method for scheduling appointments at any time with a professional, such as a doctor, dentist, veterinarian, or a professional service, such as a medical testing facility, even when the office of the professional or professional service is closed. The Cummings system includes at least three databases. A "Master Schedule Data Base" which refers to a database for storing information such as appointment times already booked, blocked, and available. See Figures 1, 2 and 3 (element 16) and column 7, lines 48-51 and column 8, lines 11-13. A "Tentative Bookings Agent" refers to a database used to hold the schedule of clients for review by the staff of a doctor's office. See element 17 in figures 1, 2 and 3 and column 7, lines 55-58 and column 8, lines 45-48. The claims of the Cummings patent also refer to a third database referred to as "another data base" having available appointment times for medical professionals. See claim 15 element "b" and claim 21 for example.

Figure 1 of Cummings shows clients 10a and 10b connected to the system through a call center 11. The figure also shows a client 10c connected directly to the system.

Figure 2 of Cummings illustrates how a client 10 can schedule an appointment with a doctor through the call center 11 when the doctor's office is closed. As described in column 8, lines 1-7, when the client 10 is on the line, the call center can access the Master Schedule Data Base 16 through the schedule helper 15. The call center can thus view *"those times when these physicians are willing to accept tentative appointment bookings"*.

Figure 3 of Cummings illustrates how a tentative appointment is booked. When viewing the Master Schedule Data Base, the call center can select a time when a physician is willing to accept a tentative appointment. When this is done, a form appears on the computer at the call center asking for the patients name and other pertinent information. Once the form has been completed, the information is entered which causes the Master Schedule Data Base 16 to be updated and to hold the tentative booking for delivery to the physician in the tentative booking agent 17. See specifically column 8, lines 42-45.

Figure 4 illustrates how the tentative booking in booking agent 17 is communicated to the appointment system in the office of the physician. Specifically, someone at the physician's office is required to call into the system. In response, an interface engine 18 transfers the tentative booking information into a tentative booking queue 19 at the physician's office. See column 9 lines 10 - 34. The tentative bookings in the queue are then reviewed and if acceptable, they are either manually or automatically entered into the calendar of the physician. The patient is then called or otherwise contacted to confirm or reschedule the appointment if not accepted by the physician. See Figure 5 and column 9 lines 35-59.

Thus with the Cummings system, the physician's appointment system is maintained at the physician's office. *A patient cannot directly access this appointment system to make an appointment. Rather, such an appointment is first held in the tentative booking data base or agent 17 and a queue 19. A tentative booking is entered into the physician's appointment system only upon acceptance by the physician's office. The patient therefore is required to wait to receive a confirmation of the appointment.*

4. Bookings/Computerworld

The Bookings/Computerworld article states that a company called Choice Hotels International will provide access to a computer reservation system for the real time bookings of hotel rooms. Substantially no description of how this is accomplished is provided.

5. Cotton

Cotton describes a reservation system for golf related services. The system includes, as illustrated in Figure 1, a regional members server 17 which maintains a regional members database 19 and a separate regional reservation server 18 for maintaining a regional reservation database 20. The system specifies the use of a facility server 12 located at the site of each regional member using the system. Facility clients 11, located at the facility, are connected to the facility server 12 either over a local area network 13 or the Internet. The facility server maintains a facility reservation database 22. The facility server 12 is connected to the regional member server 17 and the regional reservation server 18 through a dial-up connection to the WEB. *Thus the facility*

reservation database 22 can be accessed only by either a Web client 14 or a facility client 11 over the Internet or over a local area network 13.

6. King

King describes a reservation system for hotel related services. The system includes a proprietary computer system that converts an Internet user's incoming messages from the Web's Hypertext Markup Language into a format a hotel's reservation system can read. It then forwards the request to the hotel system.

7. Hilton

The Hilton press release simply states that Hilton Hotels had entered into a software development agreement with a company called Anasazi Inc. to develop a central reservation system that allows all of Hilton's hotels, regional offices, and reservation facilities to inter-connect and share guest profile and proprietary information.

8. Business Wire

The Business Wire press release describes a Marriott Hotel's "kick off" of its travel web site. The web site allows customers to book travel packages online with credit cards using a proprietary online reservation system.

9. Extensity

The Extensity press release announces a strategic partnership between Extensity Inc. and the Internet Travel Network. The two companies announced that they would join forces and to offer a Web-based travel booking and expense reporting solution.

10. Datalex

The Datalex press release announcing that its product "BookIt" is the leading Internet booking engine for on-line travel web sites.

11. The Rejection

Claim 37 was rejected by the combination of Fukuma, Henneuse, Cummings, Booker/Computerworld, Cotton, King/Computerworld, Hilton, Business Wire, Extensity and Datalex. The Applicants submit that in constructing the rejection, the Examiner (1) completely misconstrued the actual teachings of Fukuma; and (2) improperly combined the Fukuma, Henneuse, Cummings, Booker/Computerworld, Cotton, King/Computerworld, Hilton, Business Wire, Extensity and Datalex references.

a. Mis-Construction of Fukuma

In paragraph 6 of the August 24, 2001 Office Action, the Examiner states Fukuma teaches a software product comprising:

- (i) *"...a reservation booking database having a plurality of records corresponding to a plurality of time-slots for tables [at] a restaurant . . ."*

In fact, the database of Fukuma only contains records pertaining to banquet areas. It does not contain a time slot display module for displaying a plurality of time-slots for tables at a restaurant as the Examiner states;

- (ii) *"... and a website module configured to create a[n] site to enable a user to book a table at a banquet area (Fig. 2/10) ..."*

In fact, since the Fukuma system can be accessed only by the banquet hall provider and the system is not connected to a network of any kind, there is absolutely no teaching or suggestion by Fukuma whatsoever of the website module configured to allow an Internet user to book a banquet area;

- (iii) *"... the website module further comprising a time slot display module configured to display one or more available time-slots corresponding to one or more available tables at the banquet area's place of business (Fig. 5/10/11/12/13/14/15) ..."*

Again, Fukuma does not teach a website module or a time-slot display module configured to display to an Internet user available tables. This statement by the Examiner is therefore completely inaccurate;

- (iv) *"... and a booking module configured to enable the Internet user to book one of the available time slots to reserve the corresponding available table (Col. 5, lines 16-31) in the reservation booking database ..."*

Again, there is absolutely no teaching or suggestion by Fukuma of a booking module that allows an Internet user to book an available time-slot at the banquet hall; and

- (v) *"... the banquet area maintenance module further comprising a reservation booking database having a plurality of records, the plurality of records corresponding to time slots for the tables at the banquet hall ..."*

The database in Fukuma contains records corresponding to banquet areas, not time-slots for individual tables. The Examiner has therefore again misconstrued the teaching of the reference.

b. Improper Combination

It is assumed that the Examiner is relying on the database of Fukuma in combination with the scheduling system of Henneuse, Cummings, Booker/Computerworld, Cotton King/Computerworld, Hilton, Business Wire, Extensity and Datalex as analogous to the Applicants' reservation booking database that can be accessed by both a restaurant and Internet users respectively. The Applicants submit that the proposed combination is not only impermissible, but would still not result in the present invention. Furthermore, even if it were proper to combine these references, it would result in a nonsensical system.

(i) Fukuma Teaches Away from the Combination

Fukuma has nothing to do with reserving individual tables at a restaurant or banquet hall as the Examiner suggests. Rather Fukuma teaches a system that enables banquet hall providers to efficiently manage their banquet area space. The purpose of this system is to provide a banquet hall owner with a tool to effectively partition large banquet area space into smaller banquet areas. In the example described by Fukuma, the banquet area named "Fuji" can be subdivided into various combinations of sub-areas called "Fuji 1", "Fuji 2, and "Fuji 3". Clearly this is a function that a banquet hall provider would like to control. For example, a banquet hall provider would not want a low paying client to be

able to book a premium banquet space while a higher paying and/or preferred client is left with a less desirable space. A banquet hall provider would thus insist on managing their banquet space and would not want this function to be allocated to customers. Further, the Fukuma system is a stand-alone system. It is not connected to a computer network of any kind. It is not possible for patrons to access the Fukuma system. Fukuma therefore actually teaches away from the proposed combination. **In fact, allowing patrons to access the Fukuma database and manage the space of a banquet hall would either destroy or at best significantly diminish the intended function of Fukuma which is the management of banquet area space by the banquet hall provider.**

(ii) Henneuse Teaches Away from the Combination

Henneuse teaches a system for scheduling events subject to the availability of the requested participants. Specifically, with the Henneuse system, an event planner can send a message proposing several options for an event, receive a response of the invited participants, select one of the options based on the response, and notify the participants, all over a network. **Henneuse, however, never allows invited participants to select one of the proposed options for the event.** This role is performed exclusively by the event planner. Therefore, Henneuse teaches away from a database system where both Internet users and non-internet users can make reservations for time slots in a restaurant database.

(iii) Cummings Teaches Away from the Combination

Cummings teaches a system where a physician's calendar is maintained at the physician's office. A patient can only make a tentative appointment either by calling a call center or over the Internet. The tentative appointment is maintained in a tentative booking database. The tentative bookings in the database are first reviewed by someone at the physician's office before they are accepted and entered into the physician's reservation system. **Under no circumstance can a patient directly enter a booking into a physician's reservation system or calendar.** The Cummings reference therefore teaches away from the applicants invention where both Internet users and non-internet users can make reservations for time slots in a restaurant database.

(iv) There is No Motivation for Combining the References

The Applicants submit that the Examiner has combined Fukuma, Henneuse, Cummings, Booker/Computerworld, Cotton, King/Computerworld, Hilton, Business Wire,

Extensity and Datalex in a blatant example of hindsight. In justifying the combination, the Examiner states in paragraph 6 of the supplemental Office Action:

Fukuma teaches the above for banquet halls. Fukuma fails to teach Internet communications. Marriot, Hilton, King, Dataleex and Extensity all teach booking reservations over the Internet(pages 1/(1,2)(1,2)/(2,1) respectively. Henneuse teaches a system for scheduling an event utilizing a network (Abstract) (Fig 1/10/11/15/13). Cummings specifically teaches a reservation booking database accessible by an internet user (Abstract)(Fig 1/10a,b,c/22/16/23/24/19) for scheduling time-slots (appointments). Booker teaches real-time booking of hotel rooms over the Internet(p.1). Cotton teaches a multi-tiered reservation system specifically for restaurants over the Internet (Abstract)(page 1 line 25-page2line 21.) It would be obvious to one skilled in the art at the time of the invention to combine Fukuma in view of Henneuse to teach part of the above. The motivation to combine is to teach a computerized system for scheduling an event utilizing a server application that assures accurate availability information is present to schedule the event as enuciated by Henneuse (col 1 line 37-col 2 line 23). Furthermore, it also would have been obvious to combine Fukuma in view of Henneuse and further in view of Cummings to further teach applicant's claim. The motivation here to combine is to teach an asynchronous internet compatible 24 hour appointment (event) scheduling interface for an Internet client user as enunciated by Cummings(col 2 lines 1-29). Additionally, it would have been obvious to one skilled in the art at the time of the invention to combine Fukuma in view of Henneuse in view of Cummings and further in view of Booker to teach the above. The motivation to combine is to teach a hotel reservation system accessible by Internet users as taught by Booker. Finally, it would have been obvious to one skilled in the art at the time of the invention to combine Fukuma in view of Henneuse in view of Cummings in view of Booker, in view of King(Computerworld 1/2/96) in view of Hilton(10/27/97)in view of Business Wire(10/1/98) in view of Extensity(8/3/98)

and further in view of Datalex(3/12/99) and further in view of Cotton to teach all of the applicant's claim. The motivation to combine is to teach the use of an internet reservation system with time-slots to enable an Internet user to book a using WEB-based booking reservations in a restaurant as much as 24 hours a day as enunciated by Cotton (page1 line 25-page2 line 22).

A basic premise of patent law is that there must be a basis in the art for combining references. Obviousness cannot be established by combining the teachings of prior art references to produce the claimed invention, absent some teaching, suggestion or incentive to support the combination.

In this situation, the Examiner has provided absolutely no basis for the proposed combination. A review of the references indicates that there is no teaching or suggestion whatsoever for the combination. On the contrary, the Fukuma, Henneuse and Cummings references all appear to teach away from the proposed combination. The Booking (Computerworld), King (Computerworld), Hilton, Business Wire, Extensity and Datalex references provide virtually no details of how to implement the mentioned hotel and/or travel reservation systems respectively. Finally, Cotton merely suggests that his golf reservation system could be used for restaurants. Cotton, however, provides absolutely no teaching as to how this would be implemented. The Examiner has clearly used the present invention as a "roadmap" to find several references that allegedly each separately teach various elements of the claimed invention. Then, without the proper requisite teaching or suggestion in the references, the Examiner has concluded that it would have been obvious to combine these references.

(v) The Combination Results in a Nonsensical System

For the sake of argument, even if it were proper to combine Fukuma, Henneuse, Cummings, Booker/Computerworld, and Cotton, the combination would result in a nonsensical system. The proposed combination would include: the computer system of Fukuma which would allow a banquet hall provider to make reservations for patrons seeking to reserve a banquet area; the scheduling system of Henneuse that presumably would allow the planner of an event at the Fukuma banquet hall to send a message proposing several options for the event, receive a response from the invited participants, select one of the options based on the response, and notify the participants of the selected option; the ability of customers of Fukuma's banquet hall to make tentative appointments as taught by Cummings and then have the banquet hall provider review and enter those

appointments into the banquet hall's database if acceptable; the ability to book a hotel room and/or make travel arrangements over the Internet as taught by Booker, King, Hilton, Business Wire, Extensity and/or Datalex, presumably at a hotel facility affiliated with Fukuma's banquet hall, and finally the ability of managers and other personal working at the banquet hall of Fukuma to access the Fukuma banquet area management database from client computers as taught by Cotton.

This aforementioned arrangement is not only ridiculous, but is a far cry from the Applicant's invention as claimed. Specifically the combination fails to teach a reservation booking database that can be accessed both by an Internet user using a booking module to book reservations into the database and a restaurant using a table reservation module for booking reservations into the database for patrons not using the Internet as recited in claim 37.

As per claim 38, the Examiner states that Fukuma teaches that the software product of claim 37 includes an Internet search module configured to help an Internet user locate a banquet hall in response to a search request submitted by the Internet user. In fact, there is absolutely no teaching or suggestion by Fukuma of accessing the banquet hall via the Internet or providing an Internet search module for an Internet user to search and locate a banquet hall. Furthermore, there is no justification for combining Fukuma with Henneuse, Cummings, Booker, King, Hilton, Business Wire, Extensity and/or Datalex and/or Cotton as discussed above. Claim 38 is therefore patentable.

As per claim 39, the Examiner states that Fukuma discloses a time slot display module configured to search and display the available time slots located at the banquet hall. In fact, Fukuma fails to teach or suggest a time slot display module for displaying available time slots for tables. Furthermore, there is no justification for combining Fukuma with Henneuse, Cummings, Booker, King, Hilton, Business Wire, Extensity and/or Datalex and/or Cotton as discussed above. Claim 39 is therefore patentable.

As per claim 40, the Examiner states that the alleged time slot display module of Fukuma is configured to display both available and not available time slots for tables. Again Fukuma fails to teach or suggest a time slot search module which displays the availability or unavailability of tables. Furthermore, there is no justification for combining Fukuma with Henneuse, Cummings, Booker, King, Hilton, Business Wire, Extensity and/or Datalex and/or Cotton as discussed above. Claim 40 is therefore patentable.

As per claim 41, the Examiner states that Fukuma teaches that the booking module of the web site module is further to configure to require the Internet user to submit

personal information over the Internet to book an available time slot. As noted above, Fukuma fails to teach or suggest that the Fukuma system can be accessed by an Internet user over the Internet. Furthermore, there is no justification for combining Fukuma with Henneuse, Cummings, Booker, King, Hilton, Business Wire, Extensity and/or Datalex and/or Cotton as discussed above. Claim 41 is therefore patentable.

As per claim 42, the Examiner states that Fukuma teaches the entry of personal information by the Internet user including the Internet user's name, email address, mailing address, etc. Again the Fukuma system in no way teaches that an Internet user can access the Fukuma system. Furthermore, there is no justification for combining Fukuma with Henneuse, Cummings, Booker, King, Hilton, Business Wire, Extensity and/or Datalex and/or Cotton as discussed above. Claim 42 is therefore patentable.

As per claim 43, the Examiner states that the booking module is further configured to write the personal information submitted by the Internet user into the reservation booking database. In fact, since an Internet user can not access the Fukuma system, it is not possible for information submitted via the Internet to be submitted into the Fukuma system. Furthermore, there is no justification for combining Fukuma with Henneuse, Cummings, Booker, King, Hilton, Business Wire, Extensity and/or Datalex and/or Cotton as discussed above. Claim 43 is therefore patentable.

As per claim 44, the Examiner states that Fukuma teaches a confirmation module that generates a confirmation message over the Internet to confirm a reservation made by the Internet user. Again there is absolutely no such teaching by Fukuma. Furthermore, there is no justification for combining Fukuma with Henneuse, Cummings, Booker, King, Hilton, Business Wire, Extensity and/or Datalex and/or Cotton as discussed above. Claim 44 is therefore patentable.

As per claim 45, the Examiner acknowledges that Fukuma fails to teach a reminder module configured to send a reminder message over the Internet to the Internet user. However, the Examiner states that it would have been obvious to do so in view of Henneuse, Cummings, Booker, King, Hilton, Business Wire, Extensity and/or Datalex and/or Cotton. As noted above, the Applicant submits that these references can not be combined as the Examiner suggests and therefore claim 45 is patentable.

As per claim 46, the Examiner acknowledges that Fukuma fails to teach a link module to provide a link to a web page associated with a restaurant. The Examiner however combines Fukuma, Henneuse, Cummings, Booker, King, Hilton, Business Wire, Extensity and/or Datalex and/or Cotton in formulating his rejection. As noted above, the

Applicants submit that this combination is improper, and even if it was permissible, it still would not teach the claimed feature. Claim 46 is therefore patentable.

As per claim 47, the Examiner acknowledges that Fukuma does not teach a password module configured to accept a unique password to prevent unauthorized access to the reservation booking data base belonging to a restaurant. However the Examiner argues that Henneuse, Cummings, Booker, King, Hilton, Business Wire, Extensity and/or Datalex and/or Cotton teaches a system whereby wireless communication devices communicate with a computer through a network. And therefore it would have been obvious to combine these to teach the claimed feature. The applicants submit that again such a combination is improper, and even if it were proper, the proposed combination fails to teach or suggest the use of a password to prevent unauthorized access to a reservation booking database.

As per claim 48, it appears that the Examiner failed to provide a rejection of this claim. Nevertheless, the Applicants submit that this claim is patentable because neither reference, either alone or in combination, teaches the use of a table reservation management module that allows a restaurant to manage a substantial portion of its time slot inventory for table bookings made by both Internet users and by non-Internet users.

As per claim 49, the Examiner states that Fukuma teaches a system with a display module that displays available and booked time slots for tables at banquet. In fact, Fukuma only teaches the display of booked or available banquet areas, not individual tables. Furthermore, there is no justification for combining Fukuma with Henneuse, Cummings, Booker, King, Hilton, Business Wire, Extensity and/or Datalex and/or Cotton as discussed above. Therefore, claim 49 is patentable.

As per claim 50, the Examiner states that Fukuma teaches the display of the time slot inventory of tables at a banquet hall including the booked and available time slots during a selected period of time. Again, in fact, Fukuma does not display booked or available time slots for tables. Furthermore, there is no justification for combining Fukuma with Henneuse, Cummings, Booker, King, Hilton, Business Wire, Extensity and/or Datalex and/or Cotton as discussed above. Claim 50 is therefore patentable.

As per claim 51, the Examiner states that Fukuma teaches a display module that displays the time slot inventory of tables and the time increments for the availability of the tables. In fact, Fukuma does not teach or suggest the display of time slots for tables or the time increments for the availability of tables. Furthermore, there is no justification for combining Fukuma with Henneuse, Cummings, Booker, King, Hilton, Business Wire,

Extensity and/or Datalex and/or Cotton as discussed above. Claim 51 is therefore patentable.

As per claim 52, the Examiner states that Fukuma teaches that the restaurant display module is further configured to display the booked and available time slots for tables in a variety of different seating including a dinner seating and a lunch seating. In fact, Fukuma teaches a banquet hall reservation system that permits the reservation of banquet areas not individual tables. Furthermore, there is no justification for combining Fukuma with Henneuse, Cummings, Booker, King, Hilton, Business Wire, Extensity and/or Datalex and/or Cotton as discussed above. Claim 52 is therefore patentable.

As per claim 53, the Examiner states that Fukuma teaches a software product where the banquet hall display module is configured to display the bookings of time slots for tables previously booked at the banquet hall by users through the web site module. As previously noted, Fukuma fails to teach or suggest that the Fukuma banquet system can be used or accessed via the Internet. Furthermore, there is no justification for combining Fukuma with Henneuse, Cummings, Booker, King, Hilton, Business Wire, Extensity and/or Datalex and/or Cotton as discussed above. Therefore claim 53 is therefore patentable.

As per claim 54, the Examiner states that Fukuma teaches that the banquet hall display module is configured to display bookings of time slots for tables previously booked by the banquet hall. In fact, Fukuma teaches that only banquet areas, not individual tables, can be reserved by banquet hall provider. Furthermore, there is no justification for combining Fukuma with Henneuse, Cummings, Booker, King, Hilton, Business Wire, Extensity and/or Datalex and/or Cotton as discussed above. Claim 54 is therefore patentable.

As per claim 55, the Examiner states that Fukuma teaches a software product wherein the time slots displayed by the banquet hall display module provides pointers to corresponding records in the reservation booking database of the banquet hall system. In fact, the time slots displayed by Fukuma are for the reservation of banquet areas not individual tables. Furthermore, there is no justification for combining Fukuma with Henneuse, Cummings, Booker, King, Hilton, Business Wire, Extensity and/or Datalex and/or Cotton as discussed above. Therefore claim 56 is patentable.

As per claim 57, the Examiner states that Fukuma teaches a software product with database records including individual fields for storing information; a name field, storing the name of a customer, a mailing address field, an email address field, a phone number

field, a credit card field, and a password field. Again, Fukuma teaches that only banquet areas can be reserved by a banquet hall provider and not an Internet user. Therefore other than a name of a party reserving a banquet area, Fukuma teaches the entry of none of the above-mentioned information into a database. Furthermore, there is no justification for combining Fukuma with Henneuse, Cummings, Booker, King, Hilton, Business Wire, Extensity and/or Datalex and/or Cotton as discussed above. Claim 57 is therefore patentable.

As per claim 58, the Examiner states that the software product of Fukuma comprises a banquet hall data entry module configured to allow a banquet hall to write customer information to reserve a time slot for a customer. Again, Fukuma only permits the reservation of a banquet area and not individual tables. Therefore, Fukuma does not permit the entry of customer information to reserve time slots corresponding to individual tables. Furthermore, there is no justification for combining Fukuma with Henneuse, Cummings, Booker, King, Hilton, Business Wire, Extensity and/or Datalex and/or Cotton as discussed above. Claim 58 is therefore patentable.

As per claim 59, the Examiner states that the software product of Fukuma teaches an active link between each time slot and a second data display that displays the personal information of the customer who reserved the selected time slot. In fact, Fukuma fails to teach and suggest the use of a second display that that displays customer information in the record corresponding to a book time slot for a table. Furthermore, there is no justification for combining Fukuma with Henneuse, Cummings, Booker, King, Hilton, Business Wire, Extensity and/or Datalex and/or Cotton as discussed above. Claim 59 is therefore patentable.

As per claim 60, the Examiner states that the software product of Fukuma includes records of a database configured to store customer information related to reserve time slots for tables that were booked by customers over the Internet or by the banquet hall provider. Again, Fukuma fails to teach a database that includes records corresponding to time slots for tables. In addition, in no way does Fukuma teach or suggest that Internet users can book time slots for tables over the Internet. Furthermore, there is no justification for combining Fukuma with Henneuse, Cummings, Booker, King, Hilton, Business Wire, Extensity and/or Datalex and/or Cotton as discussed above. Accordingly claim 60 is patentable.

As per claim 61, the Examiner acknowledges that Fukuma fails to teach a data entry field configured to receive data indicating that a customer that has booked a time slot has arrived at the banquet hall. The Examiner also fails to adequately describe how this

claim feature is taught or suggested by Henneuse, Cummings, Booker, King, Hilton, Business Wire, Extensity and/or Datalex and/or Cotton. Furthermore, there is no justification for combining Fukuma with Henneuse, Cummings, Booker, King, Hilton, Business Wire, Extensity and/or Datalex and/or Cotton as discussed above. This claim is therefore patentable.

As per claim 62, the Examiner states that the software product of Fukuma includes a search module to aid the banquet hall in finding a time slot for a table booked in the name of a customer. In fact, there is no teaching in Fukuma of a customer search module of any kind. Furthermore, there is no justification for combining Fukuma with Henneuse, Cummings, Booker, King, Hilton, Business Wire, Extensity and/or Datalex and/or Cotton as discussed above. Claim 62 is therefore patentable.

As per claim 63, Fukuma fails to teach a customer search module of any kind and therefore does not describe any search criteria whatsoever. Furthermore, there is no justification for combining Fukuma with Henneuse, Cummings, Booker, King, Hilton, Business Wire, Extensity and/or Datalex and/or Cotton as discussed above. Claim 63 is therefore patentable.

As per claim 64, the Examiner states that the software product of Fukuma includes a first cancellation module configured to permit an Internet user to cancel over the Internet a previously booked time slot for a table. As previously noted, in no way can an Internet user access a Fukuma system. Therefore, there is no first cancellation module that allows an Internet user to cancel a reservation. Furthermore, there is no justification for combining Fukuma with Henneuse, Cummings, Booker, King, Hilton, Business Wire, Extensity and/or Datalex and/or Cotton as discussed above. Claim 64 is therefore patentable.

As per claim 65, the Examiner states that the software product of Fukuma allows a banquet hall provider to cancel a booked time slot for a table. In fact, Fukuma allows a banquet hall area to be reserved, not individual tables. Therefore there is not second cancellation module that allows a banquet hall to cancel a previously booked time slot for a table. Furthermore, there is no justification for combining Fukuma with Henneuse, Cummings, Booker, King, Hilton, Business Wire, Extensity and/or Datalex and/or Cotton as discussed above. Therefore claim 65 is patentable.

As per claim 66, the Examiner acknowledges that Fukuma fails to teach a communication module configured to send a restaurant communication messages to Internet users over the Internet. The Examiner therefore relies on the teaching of

Henneuse, Cummings, Booker, King, Hilton, Business Wire, Extensity and/or Datalex and/or Cotton in combination with Fukuma to reject this claim. As noted above, however, since the Fukuma system is intended to be used solely by a banquet hall provider, there is absolutely no teaching or suggestion or motivation for combining these two references. Furthermore, there is no justification for combining Fukuma with Henneuse, Cummings, Booker, King, Hilton, Business Wire, Extensity and/or Datalex and/or Cotton as discussed above. Therefore claim 66 is patentable.

As per claim 67, the Examiner states that Fukuma teaches a software module having a block-out module to enable a banquet hall to selectively block-out time slots in their reservation booking database. In fact, Fukuma fails to teach such a block-out module. Furthermore, there is no justification for combining Fukuma with Henneuse, Cummings, Booker, King, Hilton, Business Wire, Extensity and/or Datalex and/or Cotton as discussed above. Therefore claim 67 is patentable.

As per claim 68, the Examiner acknowledges that Fukuma fails to teach the use of a web site module residing on a central computing location coupled to the Internet. The Examiner therefore relies on the combination of Fukuma and Henneuse, Cummings, Booker, King, Hilton, Business Wire, Extensity and/or Datalex and/or Cotton to reject this claim. As noted above-this rejection is improper since there is no teaching or suggestion in either reference for the proposed combination. Furthermore, there is no justification for combining Fukuma with Henneuse, Cummings, Booker, King, Hilton, Business Wire, Extensity and/or Datalex and/or Cotton as discussed above. Claims 68 is therefore patentable.

As per claim 69, the Examiner states that Fukuma teaches the use of a table reservation management module residing on a computer affiliated with a banquet hall. In fact, Fukuma fails to teach a table reservation management module that allows a banquet hall to reserve individual tables. Furthermore, there is no justification for combining Fukuma with Henneuse, Cummings, Booker, King, Hilton, Business Wire, Extensity and/or Datalex and/or Cotton as discussed above. Therefore claim 69 is patentable.

As per claim 70, the Examiner relies on a combination of Fukuma, Henneuse, Cummings, Booker, King, Hilton, Business Wire, Extensity and/or Datalex and/or Cotton to reject this claim. This combination, however, neither teaches or suggests the writing of reservation updates to an aggregate database including a plurality of databases for a plurality of restaurants. Therefore claim 70 is patentable.

As per claim 71, the Examiner is again relying on the combination of Fukuma, Henneuse, Cummings, Booker, King, Hilton, Business Wire, Extensity and/or Datalex and/or Cotton to reject this claim. This combination, however, fails to teach or suggest providing the reservation booking data base and the table reservation management module at a central computing location that is accessible by restaurants over the Internet. Claim 71 is therefore patentable.

As per claim 72, the Applicant can not find a rejection of this claim articulated by the Examiner in the August 24, 2001 amendment. Nevertheless the Applicant submit that this claim is patentable because nowhere in either Fukuma, Henneuse, Cummings, Booker, King, Hilton, Business Wire, Extensity and/or Datalex and/or Cotton, either alone or in combination, do these references teach an aggregate database including the reservation database of a plurality of affiliated restaurants.

Claim 73 is patentable for the same reasons discussed above with respect to claim 72.

As per claim 74, neither Henneuse, Cummings, Booker, King, Hilton, Business Wire, Extensity and/or Datalex and/or Cotton, Fukuma teach or suggest the use of a web site module for a restaurant to post information pertaining to a restaurant over the Internet. While Henneuse, Cummings, Booker, King, Hilton, Business Wire, Extensity and/or Datalex and/or Cotton teaches that communication between an attraction at an amusement park and a patron can take place over the Internet, there is no teaching whatsoever about providing web pages for a restaurant. Claim 74 is therefore patentable.

As per claim 75, the Examiner acknowledges that Fukuma fails to teach an editing module that allows a restaurant to edit its web page. Furthermore, since Henneuse, Cummings, Booker, King, Hilton, Business Wire, Extensity and/or Datalex and/or Cotton fails to teach or suggest this feature, claim 75 is therefore patentable.

As per claim 76, the Examiner states that Fukuma teaches the use of a search module configured to locate a selected banquet hall based on one of the following search criteria; name, location, type of cuisine, etc.. In fact, Fukuma makes no such teaching. Therefore claim 76 is patentable.

As per claim 77, since Fukuma fails to teach or suggest an Internet search module as discussed with regard to claim 38 and 76, this claim is also patentable.

As per claims 78 and 79, the Examiner states that Fukuma teaches a display module that displays the layout of tables at a restaurant in a first display mode or a second display mode depending upon whether or not the tables are booked. In fact, Fukuma fails to teach or suggest a banquet hall area display module let alone a display for the layout of individual tables. Therefore claims 78 and 79 are patentable.

Claim 80 is patentable for essentially the same reasons as provided above with respect to claim 37.

Claim 85 is patentable for essentially the same reasons articulated with respect to claim 48.

Claim 86 is patentable for essentially the same reasons articulated with respect to claim 50.

Claim 87 is patentable for essentially the same reasons articulated above with regard to claim 53.

Claim 88 is patentable for essentially the same reasons articulated above with respect to claim 54.

Claim 89 is patentable for essentially the same reasons articulated above with respect to claim 55.

Claim 90 is patentable for essentially the same reasons articulated above with respect to claim 56.

Claim 91 is patentable for essentially the same reasons articulated above with respect to claim 57.

As per claim 92, the Examiner states that Fukuma teaches a database with records including fields for smoking, special occasions, and dietary requests. In fact there is no such teaching in Fukuma. Claim 92 is therefore patentable.

Claim 93 is patentable for essentially the same reasons articulated above with respect to claim 58.

Claim 94 is patentable for the same reasons articulated above with respect to claim 59.

Claim 95 is patentable for the same reasons articulated above with respect to claim 62.

Claim 96 is patentable for the same reasons articulated above with respect to claim 64.

Claims 97 and 98 are patentable for the same reasons articulated above with respect to claims 78 and 79.

Claim 99 is patentable for the same reasons articulated above with respect to claim 37.

Claim 100 is patentable for the same reasons articulated above with respect to claim 69.

Claim 102 is patentable for essentially the same reasons articulated above with respect to claim 71.

Claim 104 is patentable for essentially the same reasons articulated above with respect to claim 72.

Claim 105 is patentable for essentially the same reasons articulated above with respect to claim 70.

Claim 106 is patentable for essentially the same reasons articulated above with respect to claim 38.

Claim 107 is patentable for essentially the same reasons articulated above with respect to claim 45.

Claim 108 is patentable for essentially the same reasons articulated above with respect to claim 49.

Claim 109 is patentable for essentially the same reasons articulated above with respect to claim 53.

Claim 110 is patentable for essentially the same reasons articulated above with respect to claim 54.

Claim 111 is patentable for the same reasons mentioned above with respect to claim 55.

Claim 112 is patentable for the same reasons mentioned above with respect to claim 58.

Claim 113 is patentable for the same reasons articulated above with respect to claims 41 through 43.

Claim 114 is patentable for the same reasons as provided above with respect to claim 42.

Claim 115 is patentable for the same reasons provided above with regard to claim 62.

Claim 116 is patentable for the same reasons provided above with respect to claim 64.

Claim 117 and 118 are patentable for the same reasons provided above with regard to claims 78 and 79.

Claims 119 and 120 are patentable for the same reasons articulated above with respect to claim 37.

Claim 121, 122 and 123 are patentable because neither Fukuma, Henneuse, Cummings, Booker, King, Hilton, Business Wire, Extensity and/or Datalex and/or Cotton, either alone or in combination, teach or suggest the use of different display modes to indicate whether individual tables at a restaurant are reserved or available.

As per claim 124, the Examiner states that Fukuma teaches a first display module that is configured to be accessible over the Internet using a personal computer. In fact, Fukuma teaches a stand alone banquet hall reservation system that is not connected to the Internet in any way. Furthermore, there is no justification for combining Fukuma with Henneuse, Cummings, Booker, King, Hilton, Business Wire, Extensity and/or Datalex and/or Cotton as discussed above. Therefore claim 124 is patentable.

As per claim 125, the Examiner states that Fukuma includes a web site module that is configured to be accessible to the Internet using a computing device that is coupled by

the Internet using a wireless device. Again, Fukuma teaches a stand-alone system that is not connected to the Internet. Furthermore, there is no justification for combining Fukuma with Henneuse, Cummings, Booker, King, Hilton, Business Wire, Extensity and/or Datalex and/or Cotton as discussed above. Therefore claim 125 is patentable.

As per claim 126, the Examiner states that Fukuma teaches a table reservation module that permits a banquet hall provider to manage a substantial portion of its time slot inventory for table bookings made by either Internet users or non Internet users. In fact, all Fukuma teaches is a stand alone banquet hall reservation system that allows the reservation of banquet areas not individual tables. Further, this system is not connected to the Internet and therefore can not be accessed by Internet users. Furthermore, there is no justification for combining Fukuma with Henneuse, Cummings, Booker, King, Hilton, Business Wire, Extensity and/or Datalex and/or Cotton as discussed above. Claim 126 is therefore patentable.

(b) Claims 82-84 and 101 and 103 are unpatentable over Fukuma in view of Steadham (US Patent No. 5,634,016) and further in view of Henneuse, Cummings, Booker, Cotton, King, Hilton, Business Wire, Extensity and Datalex

Steadham teaches an event management system that coordinates the entire process of event planning such as a business meeting at a hotel having conference facilities. The system provides the capability to generate an event contract ("EC") proposal, two and/or three dimensional CAD drawings of room layouts and animations, and provides software management for event functions such as ordering the proper amount of food, labor, etc. See Column 2, lines 1-45. As illustrated in Figure 1, the hardware of the system includes a number of workstations 140 (See Column 8, lines 10-35), a CAD workstation 112 (Column 60 - lines 60 - Column 7, lines 1-10) and a network file server 100 (Column 6, lines 40-65). The system database is maintained at a single location on the network file server (Column 9, line 10-33).

As per claim 82, in paragraph 103 of the August 24, 2001 Office Action the Examiner agrees that "*Fukuma fails to teach an upgrade module configured to update a second database located at a local computer....*". The Examiner, however, states that "*Steadham teaches this (col 3 lines 44-57).*" The Applicants disagree. Steadham explicitly

teaches that there is only one database which is stored on the file server 100. See Column 9, lines 15-20.

The Applicant's submit the Examiner's has misconstrued the actually teaching of Steadham. A careful reading of Column 3, lines 44-57 confirms that only one database is used in the Steadham system. Specifically lines 52-55 recite:

It [the database] is constructed as a fully relational database. Thus, whenever a piece of information is changed in one place, it is automatically changed everywhere it is stored in the database (emphasis added).

Since Steadham teaches only a single database, there is no teaching or suggestion of a duplicate second reservation booking database on a local computer associated with the selected restaurant. Furthermore, there is no justification for combining Fukuma with Henneuse, Cummings, Booker, King, Hilton, Business Wire, Extensity and/or Datalex and/or Cotton as discussed above. Claim 82 is therefore patentable.

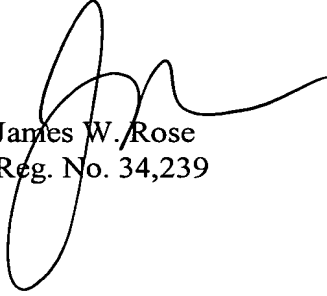
As per claim 84, since Steadham teaches the use of only a single database, there is no update module located on the local computer to update the reservation booking database located at the central computing location when a table reservation is entered into the second reservation database.

As per claims 101 and 103, they are patentable for substantially the same reasons as provided above with regard to claims 82 and 84.

IX. CONCLUSION

In view of the foregoing, it is respectfully submitted that all of the claims are patentably distinct over the art of record. Accordingly the pending rejections of the claims under 35 USC 103 should be reversed.

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X. APPENDIX**CLAIMS ON APPEAL****37. An apparatus comprising:**

a reservation booking database having a plurality of records, the plurality of records corresponding to a plurality of time-slots for tables at a restaurant;

a web site module configured to create an Internet web site to enable an Internet user to book a table at the restaurant, the web site module further comprising:

a time-slot display module configured to display one or more available time-slots corresponding to one or more tables at the restaurant's place of business; and

a booking module configured to enable the Internet user to book one of the available time-slots in the reservation booking database; and

a restaurant maintenance module configured to provide the restaurant access to the restaurant's table reservation booking database, the restaurant maintenance module further comprising:

a table reservation management module configured to enable the restaurant to book time-slots in the reservation booking database to reserve tables at the restaurant for customers not making bookings over the Internet.

38. The apparatus of claim 37, wherein the web site module further comprises an Internet search module configured to locate the restaurant in response to a search request submitted by the Internet user to locate the restaurant among a plurality of restaurants affiliated with the web site.

39. The apparatus of claim 37, wherein the time-slot display module of the web site module further comprises a time-slot search module configured to search and display the available time-slots for tables at the restaurant's place of business during a selected time period as defined by the Internet user.

40. The apparatus of claim 39, wherein the time-slot search module is further configured to search and display the available and not-available time slot-increments for tables accommodating a specific party size as defined by the Internet user.

41. The apparatus of claim 37, wherein the booking module of the web site module is further configured to require the Internet user to submit personal information over the Internet to book one of the available time-slots.

42. The apparatus of claim 41, wherein the personal information includes at least one of the following types of information: the Internet user's name; the Internet user's email address; the Internet user's mailing address; the Internet user's phone number; the Internet user's credit card information; and the Internet user's password.

43. The apparatus of claim 41, wherein the booking module of the web site module is further configured to write the personal information submitted by the Internet user into the reservation booking database of the restaurant, the personal information being written into the record in the restaurant's reservation booking database corresponding to the time-slot displayed by the time-slot display module and booked by the Internet user.

44. The apparatus of claim 41, wherein the web site module further comprises a confirmation module configured to generate a confirmation message over the

Internet to the Internet user after the personal information has been written to the reservation booking database of the restaurant to confirm the booking of the selected time-slot.

45. The apparatus of claim 37, wherein the web site module further comprises a reminder module configured to send a reminder message over the Internet to the Internet user of the booked time-slot for the reserved table at the restaurant's place of business a predetermined time period prior to the date of the booking.

46. The apparatus of claim 37, wherein the Internet web site further comprises a link module configured to link to a web page associated with the restaurant.

47. The apparatus of claim 37, wherein the restaurant maintenance module further comprises a password module configured to accept a unique password to prevent the unauthorized access to the reservation booking database belonging to the restaurant.

48. The apparatus of claim 37, wherein the table reservation management module is further configured to permit the restaurant to manage a substantial portion of its time-slot inventory for table bookings made by both Internet users through the Web site module or by non-Internet users.

49. The apparatus of claim 48, wherein the table reservation management module further comprises a restaurant display module configured to permit the restaurant to display the available and the booked time-slots for the tables at the restaurant's place of business during a selected time period.

50. The apparatus of claim 49, wherein the restaurant display module is further configured to display the time-slot inventory of tables at the restaurant, the booked time-slots and the available time-slots during the selected time period.

51. The apparatus of claim 50, wherein the restaurant display module is further configured to display the time-slot inventory of tables and the time increments for the availability of the tables on a computer display.

52. The apparatus of claim 50, wherein the restaurant display module is further configured to display the restaurant's booked and available time-slots for tables at the restaurant in at least one of the following seatings at the restaurant: a dinner seating; and a lunch seating.

53. The apparatus of claim 50, wherein the restaurant display module is further configured to display the bookings of time-slots for tables previously booked at the restaurant by Internet users through the Web site module.

54. The apparatus of claim 50, wherein the restaurant display module is further configured to display the bookings of time-slots for tables previously booked for customers by the restaurant through the table reservation management module.

55. The apparatus of claim 50, wherein the time-slots displayed by the restaurant display module provides pointers to corresponding records among the plurality of records in the reservation booking database of the restaurant.

56. The apparatus of claim 55, wherein the corresponding records contains fields configured to store customer information related to the time-slot booked in the name of the customer.

57. The apparatus of claim 56, wherein the corresponding records include at least one of the following fields: a name field for storing the name of the customer; a mailing address field for storing the mailing address of the customer; an email address field for storing the email address of the customer; a phone number field

for storing the phone number of the customer; a credit card field for storing the credit card information of the customer; and a password field for storing the password information of the customer.

58. The apparatus of claim 55, further comprising a restaurant data entry module configured to allow the restaurant to write customer information into one of the records to book an available time-slot in the name of the customer.

59. The apparatus of claim 55, wherein each booked time-slot displayed by the restaurant display module is a link to a second data display that displays the customer information in the record when the booked time-slot is selected by the restaurant.

60. The apparatus of claim 59, wherein the second data display is further configured to display the customer information in the record corresponding to the booked time-slot regardless of whether the time-slot was booked over the Internet by an Internet user or by the restaurant using the table reservation management module.

61. The apparatus of claim 59, wherein the second data display further comprises a data entry field configured to receive data input from the restaurant indicating that the customer that booked the time-slot has arrived at the restaurant.

62. The apparatus of claim 48, wherein the table reservation management module further comprises a customer search module to aid the restaurant in finding one of the time-slots booked in the name of a customer in the reservation booking database.

63. The apparatus of claim 62, wherein the customer search module performs the search using at least one of the following search criteria: date of booking; name

of customer who made the booking; email address of the customer who made the booking; or telephone number of the customer who made the booking.

64. The apparatus of claim 37 wherein the web site module further comprises a first cancellation module configured to permit the Internet user to cancel over the Internet a previously booked timeslot for a table booked by the Internet user at the restaurant's place of business.

65. The apparatus of claim 37, wherein the restaurant maintenance module further comprises a second cancellation module configured to permit the restaurant to cancel a previously booked time-slot for a table at the restaurant's place of business.

66. The apparatus of claim 37, wherein the restaurant maintenance module further comprises a communication module configured to permit the restaurant to send communication messages to Internet users over the Internet.

67. The apparatus of claim 37, wherein the restaurant maintenance module further comprises a block-out module configured to enable the restaurant to selectively block-out time-slots in the reservation booking database so that the blocked-out time-slots can not be booked.

68. The apparatus of claim 37, wherein the web site module is configured to reside on a central computing location coupled to the Internet.

69. The apparatus of claim 37, wherein the restaurant maintenance module for the restaurant, including the reservation booking database and the table reservation management module, are configured to reside on a computer affiliated with the restaurant.

70. The apparatus of claim 69, wherein the restaurant maintenance module is further configured to write reservation updates to the restaurant's reservation booking database over the Internet to an aggregate database located at a central computing location, the aggregate database containing the reservation booking databases for a plurality of restaurants affiliated with the web site.

71. The apparatus of claim 68, wherein the restaurant maintenance module for the restaurant, the reservation booking database and the table reservation management module, are further configured to reside at the central computing location and are accessible by the restaurant over the Internet.

72. The apparatus of claim 71 further comprising an aggregate database configured to reside at the central computing location, the aggregate database including the reservation booking databases of a plurality of restaurants affiliated with the web site.

73. The apparatus of claim 71, wherein the restaurant maintenance module for the restaurant is further configured to write updates to the restaurant's reservation booking database over the Internet to a duplicate restaurant reservation booking database located on a computer associated with the restaurant.

74. The apparatus of claim 37, wherein the web site module further comprising a web page module for the restaurant, the web page module configured to post information pertaining to the restaurant over the Internet.

75. The apparatus of claim 74, wherein the restaurant maintenance module further comprises an editing module configured to permit the selected restaurant to edit the restaurant's web page module.

76. The apparatus of claim 38, wherein the Internet search module is further configured to locate the selected restaurant based on at least one of the following search criteria: name of the selected restaurant; location of the selected restaurant; or type of cuisine offered by the selected restaurant.

77. The apparatus of claim 76, wherein the web site module is further configured to display the search results of the search request submitted by the Internet user, the search results including at least one of the following types of information for the restaurants meeting the search request: the names of the restaurants; the location of the restaurants; the type of cuisine offered by the restaurants; reviews of the restaurants; a price range for the restaurants and posted comments from other Internet users regarding the restaurants.

78. The software product of claim 37, further comprising a table layout display module, the table layout display module further configured to display the layout of tables at the restaurant's place of business.

79. The software product of claim 78, wherein the table layout display module is further configured to display booked tables in a first display mode and open tables in a second display mode.

80. A reservation system comprising:

- a reservation booking database having a plurality of records, the plurality of records corresponding to the plurality of time-slots for the tables at a selected restaurant;

- a central computing location configured to an host Internet web site for booking reservations, the central computing location comprising:

- an Internet search module configured to identify the selected restaurant in response to a search request submitted by an Internet user to identify the selected restaurant affiliated with the web site;

a time-slot display module configured to display one or more available time-slots each corresponding to one or more tables at the selected restaurant's place of business; and

a booking module configured to permit the Internet user to book one of the available time-slots to reserve the corresponding table in the reservation booking database; and

a local computer located at the selected restaurant, the local computer configured to cooperate with the central computing location and including a table reservation management module configured to permit the selected restaurant to book time-slots in the reservation booking database to reserve tables at the selected restaurant for customers not making bookings over the Internet.

82. The reservation system of claim 80, further comprising a second reservation booking database located on the local computer, the second reservation booking database configured to be a duplicate of the first reservation booking database associated with the selected restaurant.

83. The reservation system of claim 82, further comprising an update module located at the central computing location, the upgrade module configured to update the second reservation booking database located at the local computer of the selected restaurant when the Internet user books one of the available time-slots in the reservation booking database of the selected restaurant.

84. The reservation system of claim 82, further comprising an update module located at the local computer, the upgrade module configured to update the reservation booking database located at the central computing location when the selected restaurant books one of the available time slots in the second reservation booking database of the selected restaurant.

85. The reservation system of claim 80, wherein the table reservation management module is further configured to permit the selected restaurant to manage a selected portion of its time-slots for table bookings made by both Internet users through the booking module or by non-Internet users.

86. The reservation system of claim 81, wherein the table reservation management module further comprises a restaurant display module configured to permit the selected restaurant to display the available and the booked time-slots for the tables at the selected restaurant's place of business during a time period defined by the selected restaurant.

87. The reservation system of claim 86, wherein the restaurant display module is further configured to display the bookings of time-slots for tables previously booked at the selected restaurant by Internet users through the booking module.

88. The reservation system of claim 86, wherein the restaurant display module is further configured to display the bookings of time-slots for tables previously booked for customers by the selected restaurant through the table reservation management module.

89. The reservation system of claim 86, wherein the time-slots in the time-slot inventory displayed by the restaurant display module provides pointers to corresponding records among the plurality of records in the reservation booking database of the selected restaurant.

90. The reservation system of claim 89, wherein the corresponding record contains fields configured to store customer information related to the time-slot booked in the name of the customer.

91. The reservation system of claim 90, wherein the corresponding record includes at least one of the following fields: a name field for storing the name of the customer; a mailing address field for storing the mailing address of the customer; an email address field for storing the email address of the customer; a phone number field for storing the phone number of the customer; a credit card field for storing the credit card information of the customer; and a password field for storing the password information of the customer.

92. The reservation system of claim 90 wherein the corresponding record includes at least one of the following fields: a smoking field to indicate if the customer requires a smoking table; a special occasions field to indicate if the customer is celebrating special occasion; and a dietary request field to indicate if the customer has a special dietary request.

93. The reservation system of claim 86, further comprising a restaurant data entry module configured to allow the selected restaurant to write customer information into the record corresponding to the selected time-slot to book the selected time-slot in the name of the customer by the selected restaurant.

94. The reservation system of claim 86, wherein each time-slot displayed by the restaurant display module is a link to a second display that displays the customer information in the record corresponding to a booked time-slot when the booked time-slot is selected.

95. The reservation system of claim 86, wherein the table reservation management module further comprises a customer search module to aid the selected restaurant in finding a booked time-slot booked in the name of a specified customer.

96. The reservation system of claim 80, wherein the central computing system further comprises a cancellation module configured to permit the Internet user to cancel a previously booked time-slot for a table booked by the Internet user.

97. The reservation system of claim 80, wherein the local computer further comprising a table layout display module, the table layout display module further configured to display the layout of tables at the selected restaurant's place of business.

98. The reservation system of claim 78, wherein the table layout display module is further configured to display booked tables in a first display mode and open tables in a second display mode.

99. A method comprising:

providing a first restaurant a first reservation booking database having a plurality of records, the plurality of records corresponding to a plurality of time-slots for tables at the first restaurant

providing a restaurant table reservation management module configured to enable the first restaurant to book time-slots in the first reservation booking database to reserve the tables at the first restaurant for customers not making bookings over the Internet; and

providing an Internet booking module configured to enable an Internet user to book an available one of the time-slots to reserve one of the tables at the first restaurant.

100. The method of claim 99, further comprising providing the first reservation booking database at the first restaurant's location.

101. The method of claim 100, further comprising providing a copy of the first reservation booking database at a central computing location and updating the copy

of the first reservation booking database when the first restaurant books time-slots in the first reservation booking database to reserve tables for customers not making bookings over the Internet.

102. The method of claim 99, further comprising providing the first reservation booking database at a central computing location.

103. The method of claim 102, further comprising providing a copy of the first reservation booking database at the first restaurant and updating the copy of the first reservation booking database when Internet users book time-slots in the first reservation booking database provided at the central computing location.

104. The method of claim 102, further comprising aggregating a plurality of reservation booking databases associated with a plurality of restaurants at the central computing location.

105. The method of claim 99, further comprising maintaining a restaurant related web site, affiliating a plurality of restaurants with the web site, and providing the plurality of restaurants a plurality of the reservation booking databases and a plurality of the table reservation management modules respectively.

106. The method of claim 105, further comprising providing a search module with the web site to enable the Internet user to search for a selected restaurant among the plurality of restaurants affiliated with the web site.

107. The method of claim 99, wherein providing the table reservation management module further comprises enabling the first restaurant to manage a selected portion of its time-slots for table bookings made by Internet users and for customers not making reservations over the Internet.

108. The method of claim 99, wherein the providing the table reservation management module further comprises providing a restaurant display module configured to enable the first restaurant to display the available and the booked time-slots for the tables at the first restaurant's place of business during a time period defined by the first restaurant.

109. The method of claim 108, wherein the providing the restaurant display module further comprises configuring the restaurant display module to display the bookings of time-slots for tables previously booked at the first restaurant by Internet users through the Internet booking module.

110. The method of claim 108, wherein the providing the restaurant display module further comprises configuring the restaurant display module to display the bookings of time-slots for tables previously booked for customers by the first restaurant through the reservation table management module.

111. The method of claim 108, wherein the displaying time-slots during the time period defined by the first restaurant further comprises configuring the displayed time-slots to correspond to records among the plurality of records in the first reservation booking database.

112. The method of claim 111, further comprising enabling the first restaurant to write customer information into the records.

113. The method of claim 111, further comprising enabling the Internet user to write customer information into the record through the Internet booking module.

114. The method of claim 111, further comprising configuring the record to include at least one of the following fields: a name field for storing the name of the customer; a mailing address field for storing the mailing address of the customer;

an email address field for storing the email address of the customer; a phone number field for storing the phone number of the customer; a credit card field for storing the credit card information, of the customer; and a password field for storing the password information of the customer.

115. The method of claim 99, further comprising providing a customer search module to aid the first restaurant in finding one of the time-slots booked in the name of a customer.

116. The method of claim 99, further comprising providing a cancellation module configured to permit the Internet user to cancel a previously booked time-slot for a table booked by the Internet user at the first restaurant's place of business.

117. The method of claim 99, further comprising providing a table layout display module configured to display the layout of tables at the first restaurant's place of business.

118. The method of claim 117, wherein the providing the table layout display module further comprises displaying booked tables in a first display mode and open tables in a second display mode.

119. A software product comprising:

- a first restaurant reservation booking database having a plurality of records, the plurality of records corresponding to a plurality of time-slots for the tables at the first restaurant;

- a restaurant table reservation management module configured to enable the first restaurant to book time-slots in the first reservation booking database to reserve the tables at the first restaurant for customers not making bookings over the Internet; and

an Internet booking module configured to enable an Internet user to book an available one of the time-slots to reserve one of the tables at the first restaurant.

120. A apparatus comprising:

a reservation booking database means having a plurality of records, the plurality of records corresponding to a plurality of time-slots for tables at a restaurant;

a web site module means for creating an Internet web site to enable an Internet user to book a table at the restaurant, the web site module means further comprising:

a time-slot display module means for displaying one or more available time-slots corresponding to one or more tables at the restaurant's place of business; and

a booking module means for enabling the Internet user to book one of the available time-slots in the reservation booking database; and

a restaurant maintenance module means for providing the restaurant access to the restaurant's table reservation booking database means, the restaurant maintenance module means further comprising:

a table reservation management module means for enabling the restaurant to book time-slots in the reservation booking database means to reserve tables at the restaurant for customers not making bookings over the Internet.

121. The apparatus of claim 79, wherein the first display mode is a first color and the second display mode is a second color.
122. The reservation system of claim 98, wherein the first display mode is a first color and the second display mode is a second color.
123. The method of claim 118, wherein the first display mode is a first color and the second display mode is a second color.

124. The apparatus of claim 37, wherein the website module is configured to be accessible to the Internet user using a personal computer. (1)

125. The apparatus of claim 124, wherein the website module is configured to be accessible to the Internet using a computing device coupled to the Internet using a wireless device.

126. The apparatus of claim 37, wherein the table reservation management module is further configured to enable the number of records in the reservation booking database for the restaurant to be defined by the restaurant.